ZONING COMMISSIONER OF BALTIMORE COUNTY CASE # 93-225-SPH

G & R No. 3, Inc. Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

\*\*\*\*\*\*\*\*

This matter comes before the Zoning Commissioner as a Petition for Special Hearing, filed by G & R No. 3, Inc., through its President, Stewart J. Greenebaum. The corporate Petitioner is the developer of the residential subdivision known as College Hills, which is located near Catonsville Community College in the Catonsville section of Baltimore County. By its Petition, the property owners seek approval of a Second Amended Final Development Plan for College Hills, Section 3, Phase 2.

Appearing at the public hearing for this case was Mr. Greenebaum and David Martin. Mr. Martin is a landscape architect who has assisted in the preparation of the site plan to accompany the Petition which is marked as Petitioner's Exhibit 1A through 1C. It is a three page document. Representing the Petitioner was Benjamin Bronstein, Esquire. Also appearing were Mary Lou S. Fanelli and Carol Ann Przybyla, both of whom who reside on Foxhall Manor Drive. This is a street containing single family dwellings which is part of the College Hills development and has been completed.

The requested relief is quite simple and involves this project which has been in development for some time. C.R.G. approval was obtained several years ago. As part of the approved C.R.G., a portion of the tract shown as Parcel A was "Reserved for future development". The development which was to precisely exist on that parcel was not shown in detail. Subsequently,

the developer has finalized its plans and now comes before the Zoning Commissioner with a Second Amended Final Development Plan for approval. This plan illustrates the 14 lots on Parcel A which were reserved for future development on the approved C.R.G. plan; removes Homeowners Association parking lots from Pepperdine Circle and Ivy League Drive; realigns the parking arrangement; and shows regrading and landscaping of the Homeowners Association maintenance areas within Pepperdine Circle and Ivy League Drive. Due to the fact that certain of these changes are within 300 feet of the finished houses on Fox Hall Manor Drive, the public hearing is required under the B.C.Z.R.

Messrs. Bronstein and Martin produced certain testimony and evidence in support of the amended plan. They noted that the amendments were in keeping with the spirit of the original plan and actually provided for an improved concept for the finished community. Certain natural features including a series of knolls will be protected under the new plan. Further, this phase of the development will entail construction of upscale townhomes, many models of which provide garages. Mr. Bronstein also noted that the Second Amended Final Development Plan has obtained approval from the Planning Board. Lastly, Mr. Martin observed that the amended plan will not be detrimental to the health, safety or general welfare of the locale and complies with all of the requirements set forth in Section 502.1 of the B.C.2.R.

Mrs. Fanelli and Mrs. Przybyla's interest in this matter is mainly as homeowners within close proximity of the next phase of development. They are not opposed to the amended plan, as presented. Their questions dealt with issues not arising from the amendments offered. Rather, they were concerned about landscaping and issues on other portions of the site.

Based on the uncontradicted testimony presented, I am persuaded that the Second Amended Final Development Plan which has been submitted as Peti-

-2-

tioners' Exhibit 1A through 1C should be granted. The evidence is overwhelming that the plan offers a refinement to improve the concept development of this site. For the reasons set forth herein, the relief requested by the Petitioner will, therefore, be granted.

hearing on this Petition held, and for the reasons given above, the Petition for Special Hearing should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County day of March, 1993 that, pursuant to the Petition for Special Hearing, approval to amend the Second Amended Final Development Plan for College Hills, Section 3, Phase 2, in accordance with Petitioner's Exhibit Nos 1A through 1C, be and is hereby GRANTED.

> The Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original

> > LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County

Pursuant to the advertisement, posting of the property, and public

condition.

LES:mmn

429

Petition for Special Hearing

for the property located at Collegiate Drive - 1st Election District which is presently sound DR2

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve 2nd Amended Final Development Plan College Hills Section 3, Phase 2.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

that l/we are the

N	We do solemnly declare and affirm, under the penalties of parjury legal owner(s) of the property which is the subject of this Petition.
Contract Purchaser/Levase:	Legal Owner(s):
	G & R No. 3, Inc.
Type or Print Name)	(Type or Print Name)
gnature	Stewart J. Greenska
dicrees	Stewart J. Greenebaum, Presider
ly State Zipcode	Signature
torney for Petitioner:	1829 Reisterstown Road 484-
Benjamin Bronstein	Address Phone
rpe or Print Mane)	Baltimore Maryland 21
They The	City Name, Address and phone number of legal owner, contract purchaser to be contacted. David Martin
netury /	Greenehorn & O'Mara
9 West Susmichanna Ave. Suita 205	Name
Phone No. 296-0200	113 West Road, Towson, MD 21204
owson	OFFICE USE ONLY
- State Zipcone	PSTIMATED LENGTH OF HEARING
	unavailable for Hearing

GREENHORNE & O'MARA, INC.

ZONING DESCRIPTION FOR COLLEGE HILLS SECTION III PHASE II CATONSVILLE, BALTIMORE COUNTY, MARYLAND

Starting at a Point of Beginning on the Southwest side of
Collegiate Drive approximately 220 feet from the Southwest side of
Collegiate Drive approximately 220 feet from the intersection of
Collegiate Drive and Foxhall Manor Drive thence South 17 degrees
31 minutes 51 seconds East, 128.48 feet, thence South 13 degrees
15 minutes 55 seconds West, 122.48 feet, thence South 09 degrees
manuced Jy Beconus West, 148.78 toot thomas court 73 dames -
- TO MENGEVE IT DECUMES RESE. OF IN TRAF - PROSES COULT OF January BA
minutes 22 seconds East, 491.11 test, thence couth 10 downers ac
minutes 14 seconds East, 120.00 feet, thence South 12 dogges 20
minutes 34 Seconds West, 92.82 feet, thence South 26 dogman 43
minutes 45 seconds west, 96.00 feet, thence South 44 degrees 04
minutes 31 seconds East, 45.03 feet, thence South 40 doggers 20
minutes 3/ seconds West, 192.76 feet, thence North 40 dogges 20
minutes vs seconds west, 100.00 feet thence south 40 democrate
minutes 3/ seconds west, 139.96 feet, thence worth 40 decrees so
minutes to seconds west, 805.21 feet, thence South 55 degrees 22
minutes 19 seconds West, 1.28 feet, thence North 48 degrees 59
- Managada da Beconus West. 51.11 taat ithongo Nowik 46 days - on
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arc 205.89 feet, thence South 19 degrees 20 minutes 15 seconds
East, 100.00 feet, thence radius 680.00 degrees arc 26.20 feet,
thence South 21 degrees 48 minutes 20 regrees arc 26.20 feet,
thence South 21 degrees 48 minutes 20 seconds West, 23.76 feet,
thence South 24 degrees 50 minutes 39 seconds West, 23.76 feet, thence South 71 degrees 30 minutes 39 seconds East, 50.00 feet,
46 minutes 08 seconds East, 35.59 feet back to the Point of Beginning.
maginitus.

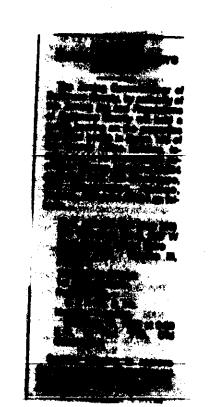
Being parcel 572, tax map 101 and 108, and parcel 814 and parcel 816, tax map 108, as recorded in the Land Records of Baltimore County, Liber 63, Folio 21, 22, and 23 and located in the 1st election district.

Note: The above shall not be considered as a legal description of the subject property and is to be solely used as a zoning description for a special hearing.

93-225-511

Special Hearing G+R #3, Ing Location of property: S/S Callegioto Drivs, 250' W/ Fox holl Mora Drivs

-3<del>-</del>



# CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of \_\_\_\_ successive weeks, the first publication appearing on \_\_

5. Zehe Orlan

\$ 202.13

**Baltimore County Government** Zoning Commissioner Office of Planning and Zoning

Suite 113 Courthouse 400 Washington Avenue Towson, MĎ 21204

(410) 887-4386

March 8, 1993

Benjamin Bronstein, Esquire 29 W. Susquehanna Avenue Suite 205 Towson, Maryland 21204

> RE: Petition for Special Hearing Case No. 93-225-SPH G & R 3, Inc., Petitioner

Dear Mr. Bronstein:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Hearing has been granted in accordance with the attached Order.

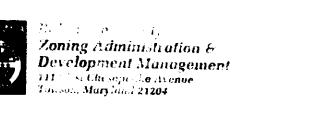
In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

> Lawrence E. Schmidt Zoning Commissioner

cc: Mr. Stewart J. Greenebaum

cc: Mrs. Mary Lou S. Fanelli 5922 Foxhall Manor Drive Catonsville, Maryland 21228 Mrs. Carol Ann Przybyla 5918 Foxhall Manor Drive Catonsville, Maryland 21228

Zoning Administration & Development Managemi 1/08/93 040 -SPECIAL HEARING (DTHER) LAST NAME OF OWNER: G AND R NO. 3 INC 04A04#0026HICHRC



111 West Chesapeake Avenue Towson, MD 21204

JAN. 22 1989

(410) 887-3353

#### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Townon, Maryland 21204

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 93-225-SPH (Item 233) S/S Collegiate Drive, 250' W of c/l Foxhall Manor Drive College Hills - Section III, Phase II lst Election District - 1st Councilmanic Petitioner(s): G & R No. 3, Inc. HEARING: TUESDAY, FEBRUARY 16, 1993 at 9:00 a.m. in Rm. 118, 0ld Courthouse.

Special Hearing to approve 2nd Amended Final Development Plan of College Hills, Section 3, Phase 2.

cc: G & R No. 3, Inc. Benjamin Bronstein, Esq.

NOTE: HEARINGS ARE HAMDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLRASE CALL 887-3353.

Maryland Department of Transportation State Highway Administration

O. James Lighthizer Hal Kassoff Administrator

January 27, 1993

**Baltimore County** 

Item No.: 233

Ms. Julie Winiarski Zoning Administration and Development Management County Office Building Room 109 111 W. Chesapeake Avenue Towson, Maryland 21204

MD 166 Rolling Road College Hills Section III, Phase II

Dear Ms. Winiarski:

This office has reviewed the plan for the referenced item and we offer the following:

The intersection of Collegiate Drive and Rolling Road (MD 166) was constructed in accordance with an access permit issued by this office, therefore, we have no objection to

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this plan.

410-333-1350 (Fax# 333-1041) Teletypewriter for Impaired Hearing or Speech 383-7555 Baitimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toli Free 707 North Calvert St., Baltimore, Maryland 21203-0717

Jan 21, 1992

Please Jostpone Case+4 93-225 SPH. I. Will be out of town as well the developer I will call you for a new data

1st week of march -15,16,17,18

BALTIMORE COUNTY, MARYLAND

TO: Arnold Jablon, Director

SUBJECT: College Hills

Item Number:

Petitioner:

Zoning:

PK/FM:rdn

233.ZAC/ZAC1

Requested Action:

SUMMARY OF RECOMMENDATIONS:

Zoning Administration & Development Management

FROM: Pat Keller, Deputy Director

Office of Planning and Zoning

233

G & R No. 3, Inc.

32.5 acres

Development Plan of College Hills, Section 3, Phase 2.

landscape plan which focuses on the H.O.A. maintenance areas.

Stewart J. Greenebaum

· The petitioner is requesting a special hearing to approve the 2nd amended Final

The Office of Planning and Zoning recommends APPROVAL of the petitioner's re-

quest, however, our office also recommends strict conformance with the approved

INTER-OFFICE CORRESPONDENCE

DATE: January 27, 1993

Baltimore County Government Office of Zoning Administration and Development Management 

111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

**JANUARY 26, 1993** 

### NOTICE OF REASSIGNMENT

CASE NUMBER(S): LEGAL OWNER LOCATION:

93-225-SPH G & R NO. 3, INC. COLLEGIATE DRIVE

HEARING OF THE ABOVE MATTER WILL TAKE PLACE AS FOLLOWS:

WEDNESDAY, MARCH 3, 1993 at 9:00 a.m.

IN THE BALTIMORE COUNTY COURTHOUSE, ROOM 118, 400 WASHINGTON AVENUE, TOWSON, MARYLAND 21204.

cc: G & R NO. 3, INC. Benjamin Bronstein, Esq.

Printed on Recycled Paper

ile Number

DPW/Traffic Engineering Development Review Committee

01/27/93

Project Name Waiver Number Meeting Date Zigmas J. And Ona E. Bucevicius

DED DEPRM RP STP TE Ronald D. And Norma J. Jewell DED DEPRM RP STP TE Steven P. and Deborah J. Benson DED DEPRM RP STP TE

Deereco Limited Partnership DED DEPRM RP STP TE James R. and Cecile Myrick 228 DED DEPRM RP STP TE 

Goucher Woods Development, Inc. DED DEPRM RP STP TE Connelly Funeral Home

DED DEPRM RP STP TE Orville M. Jones 231 DED DEPRM RP STP TE Louis A. Slavotinek 232 DED DEPRM RP STP TE

Jack J. Basel 

DED DEPRM RP STP TE

COUNT 10 G & R No. 3, Inc.

Congregation Darchei Tzedek, Inc.

Baltimore County Government Office of Zoning Administration and Development Management

111 West Chesapeake Avenue

(410) 887-3353

Benjamin Bronstein, Esquire 29 West Susquehanna Avenue STE 205 Towson, MD 21204

> RE: Case No. 93-225-SPH, Item No. 233 Petitioner: G & R No. 3, Inc. Petition for Special Hearing

February 9, 1993

Dear Mr. Bronstein:

Towson, MD 21204

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on January 11, 1993 and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

**Baltimore County Government** Fire Department

700 East Joppa Road Suite 901 Towson, MD 21286-5500

(410) 887 4500

JANUARY 25, 1993

Arnold Jablon Director Zoning Administration and Development Management

Baltimore County Office Building Towson, MD 21204

RE: Property Owner: G & R NO. 3, INC.

COLLEGE HILLS - SECTION III, PHASE II Item No.: +233 (MJK) Zoning Agenda: JANUARY 25, 1993

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be

corrected or incorporated into the final plans for the property. 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

Noted and Fife Prevention Eureau Special Inspection Division

# BALT MORE COUNTY, MAR AND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

TO: Mr. Arnold Jablon, Director Zoning Administration and Development Management

DATE: February 9, 1993

FROM: J. Lawrence Pilson JL / // Development Coordinator, DEPRM

BJECT: Zoning Item #233
College Hills

College Hills Zoning Advisory Committee Meeting of January 25, 1993

The Department of Environmental Protection and Resource Management offers the following comments on the above referenced zoning item.

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains.

LP:sp

COLLEGEH/TXTSBP

GREENHORNE & O'MARA, INC.

#### DAVID L. MARTIN

Department Head, Land Planning/Landscape Architecture

Greenhorne & O'Mara, Inc. Baltimore

#### **EDUCATION**

B.L.S.A., Landscape Architecture, Pennsylvania State University 1971 Short Course in C.S.I. Sponsored specification writing, Allegheny Community College, 1972

#### PROFESSIONAL BACKGROUND

1987 to present, Greenhorne & O'Mara, Inc. 1979 to 1987, Bradshaw, Gill Fuster, and Associates 1971 to 1979, M. Robert Fenton

### PROFESSIONAL REGISTRATION

Professional Landscape Architect: Maryland, #776 1988
Professional Landscape Architect: Pennsylvania, #573E 1976

## PROFESSIONAL APPILIATIONS

American Society of Landscape Architects, Member Urban Land Institute, Associate Member

# HONORS AND AWARDS

M.I.R.M. Silver Award for Landscape Architecture for a 50 Home Exclusive Subdivision, National Home Builders Convention, Houston, Texas, 1985

Honorable Mention Flagler Boulevard Streetscape National Competition, West Palm Beach, Florida EVANS, GEORGE AND BRONSTEIN

SUSQUEHANNA BUILDING, SUITE 205
29 WEST SUSQUEHANNA AVENUE
TOWSON, MARYLAND 21204
(301) 296-0200
FAX: (301) 296-3719

L. ROBERT EVANS
HARRIS JAMES GEORGE
BENJAMIN BRONSTEIN

MICHAEL J. CHOMEL
DOUGLAS A. STUBBS



P. David Fields, Director
Office of Planning and Zoning
for Baltimore County
County Courts Building
401 Bosley Avenue
Towson, Maryland 21204

#### RE: Second Amended Final Development Plan College Hills Section 3, Phase 2

Dear Mr. Fields:

At the meeting of January 21, 1993 the Planning Board approved the above entitled plan. I would appreciate your notifying the Zoning Commissioner's Office of the Board's approval.

Very truly yours,

EVANS, GEORGE AND BRONSTEIN

#### Benjamin Bronstein

BB/mlh

cc: The Honorable Lawrence Schmidt
Zoning Commissioner for Baltimore County

93-220-5PH

Ben BronsteinStuard MeenembeumPaved martin-

Browslein.

Lindzeope architect

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right family

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pseale develo interior

garages for example

find devel plan subutted

homes sold on pg 2 of

plan - thus public

heaving needed homes

on Faxhall Menor

Nature of overdown 
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1/ whow devel

2/ realizated party

AOA = Horseowners assor

3/ Regrobe + Ladicago

amended PP appeared by

Planning Bd

and IPP as committent

my spend y intent

502.1

PETITIONER(S) SIGN-IN SHEET

ADDRESS

29 U Sur quham for 2/208

12 WEST Fd. 21 204

PLEASE PRINT CLEARLY PROTESTANT(S) SIGN-IN SHEET	
MARY LUUSHEEHAN FANELLI CAROL AND PRZYJSYLA	S918 FOXHALL MANOR DR. 212



